

EXHIBIT 3

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - x
:
UNITED STATES OF AMERICA : **SUPERSEDING INFORMATION**
- v. - : S3 18 Cr. 444 (NRB)
:
JANELL THOMPSON, :
:
Defendant. :
:
- - - - - x

COUNT ONE
(Conspiracy to Distribute a Controlled Substance)

The United States Attorney charges:

1. From on or about February 10, 2014, up to and including in or about June 2018, in the Southern District of New York and elsewhere, JANELL THOMPSON, the defendant, and others known and unknown, intentionally and knowingly did combine, conspire, confederate, and agree together and with each other to violate the controlled substance laws of the United States.

2. It was a part and an object of the conspiracy that JANELL THOMPSON, the defendant, and others known and unknown, would and did distribute and possess with intent to distribute a controlled substance and a controlled substance analogue, in violation of Title 21, United States Code, Section 841(a)(1).

3. From on or about February 10, 2014, up to and including on or about April 10, 2017, the controlled substance analogue that JANELL THOMPSON, the defendant, agreed to distribute and possess with intent to distribute was methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3,3-dimethylbutanoate) (known as "5F-ADB" or "5F-MDMB-PINACA"), in violation of Title 21, United States Code, Section 841(b)(1)(C).

4. From on or about April 10, 2017, up to and including in or about June 2018, the controlled substance analogue that JANELL THOMPSON, the defendant, agreed to distribute and possess with intent to distribute was mixtures and substances containing a detectable amount of methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3,3-dimethylbutanoate) (known as "5F-ADB" and "5F-MDMB-PINACA"), a controlled substance analogue, as defined in Title 21, United States Code, Section 802(32), of N-1(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-pentyl-1H-indazole-3-carboxamide (known as "ADB-PINACA"), that was intended for human consumption and is treated as a controlled substance in Schedule I of the Controlled Substances Act, in violation of Title 21, United States Code, Sections 813 and 841(b)(1)(C).

(Title 21, United States Code, Section 846.)

FORFEITURE ALLEGATION

5. As a result of committing the controlled substance offense alleged in Count One of this Superseding Information, JANELL THOMPSON, the defendant, shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853, any and all property constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of said offense and any and all property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, said offense, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offense.

Substitute Assets Provision

6. If any of the above described forfeitable property, as a result of any act or omission of the defendants:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third person;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or

(e) has been commingled with other property which cannot be subdivided without difficulty; it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the above forfeitable property.

(Title 21, United States Code, Section 853.)

GEOFFREY S. BERMAN
United States Attorney

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(21 U.S.C. § 846.)

GEOFFREY S. BERMAN
United States Attorney.
